

UTILITY

Attorney Docket No.

END-77


PATENT APPLICATION

First Inventor: Seth A. Foerster et al.

Title: METHODS AND DEVICES FOR DEFINING AND MARKING TISSUE

I hereby certify that this correspondence is being deposited today with the United States Postal Service as Express Mail - Post Office to Addressee in an envelope addressed to: Assistant Commissioner for Patents, Box-Patent Application, Washington, DC 20231.

Name:


 Patricia A. Jara

Date: September 18, 2001

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ET302073715US

(only for new nonprovisional applications under 37 CFR 1.53(b))

APPLICATION ELEMENTS

See MPEP Chapter 600 concerning utility patent application contents.

ADDRESS TO: Commissioner for Patents
Box Patent Application
Washington, DC 20231

1. ☒ Fee Transmittal Form (e.g., PTO/SB/17)
(submit an original and a duplicate for fee processing)

2. ☐ Applicant claims small entity status.

3. ☒ Specification Total Pages 28

(Preferred arrangement set forth below)

X Descriptive Title of the Invention

X Cross Reference to Related Applications

- Statement Regarding Fed sponsored R&D

- Reference to sequence listing, a table, or a

computer program listing appendix

X Background of the Invention

X Brief Summary of the Invention

X Brief Description of the Drawings (if filed)

X Detailed Description

X Claim(s)

X Abstract of the Disclosure

4. ☒ Drawing(s)/(35 USC 113) Total Sheets 7

5. Oath or Declaration [Total Pages 3]

a. ☐ Newly executed (original or copy)

b. ☒ Copy from a prior application (37 CFR 1.63(d))

(for continuation/divisional with Box 18 completed)

i. ☐ **DELETION OF INVENTOR(S)**

Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).

6. ☐ Application Data Sheet. See 37 CFR 1.76

7. ☐ CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix)

8. Nucleotide and/or Amino Acid Sequence Submission (if applicable, all necessary)

a. ☐ Computer Readable Form (CRF)

b. ☐ Specification Sequence Listing on:

i. ☐ CD-ROM or CD-R (2 copies); or

ii. ☐ paper

c. ☐ Statement verifying identity of above copies

ACCOMPANYING APPLICATION PARTS

9. ☐ Assignment Papers (cover sheet & document(s))

10. ☐ 37 CFR 3.73(b) Statement ☐ Power of Attorney
(when there is an assignee)

11. ☐ English Translation Document (if applicable)

12. ☒ Information Disclosure Statement

(IDS)/PTO-1449

☒ Copies of IDS Citations

13. ☒ Preliminary Amendment

14. ☒ Return Receipt Postcard (MPEP 503)
(Should be specifically itemized)

15. ☐ Certified Copy of Priority Document(s)
(if foreign priority is claimed)

16. ☐ Request and Certifications under 35 U.S.C. 122
(b)(2)(B)(i). Applicant must attach form
PTO/SB/35 or its equivalent.

17. ☒ Other: Application Cover Sheet
w/Express Mail Certification

18. ☒ If a CONTINUING APPLICATION, check appropriate box and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76:

☒ Continuation ☐ Divisional ☐ Continuation-in-Part (CIP) of prior application No.: 09/776,125 filed February 2, 2001; which is a continuation of 08/858,389 filed May 19, 1997; which is a continuation of 08/308,097 filed September 16, 1994.

Prior application information: Examiner B. Koo Group Art Unit: 3764

For CONTINUATION or DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

19. CORRESPONDENCE ADDRESS

☒ Customer Number or Bar Code Label 000027777 or ☐ Correspondence Address below

Name: Philip S. Johnson, Esq.

Address: Johnson & Johnson

One Johnson & Johnson Plaza

New Brunswick, NJ 08933-7003 USA

20. TELEPHONE CONTACT Bernard E. Shay

Please direct all telephone calls or telefaxes to:

Telephone: (513) 337-3231

Fax: (513) 337-8489


21. SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

NAME

Bernard E. Shay

Reg. No. 32,061

SIGNATURE



DATE

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In re application of Forester et al.

Serial No. 09/954,646

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Filed September 18, 2001

For METHOD AND DEVICES FOR DEFINING AND MARKING TISSUE

THE ASSISTANT COMMISSIONER OF PATENTS AND TRADEMARKS
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Sir:

- [X] Transmitted herewith is an amendment in the above-identified application.
 [] No additional fee is enclosed because this application was filed prior to October 25, 1965 (effective date of Public Law 89-83).
 [] No additional fee is required.
 [X] One stamped, self-addressed postcard for the PTO Mail Room date stamp.
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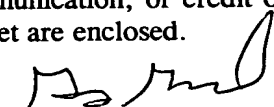
CLAIMS AS AMENDED

(1)	(2)	(3)	(4)	(5)	(6)	(7)
	CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NO. PREVIOUSLY PAID FOR	PRESENT EXTRA	RATE	ADDITIONAL FEE
TOTAL CLAIMS	29	Minus	** 33	= 13	X \$18	= \$ 234.00
INDEP. CLAIMS	* 5	Minus	*** 3	= 2	X \$78	= \$ 168.00
MULT. DEP. CLAIMS	No				\$ 260	\$ 000.00
				TOTAL ADDITIONAL FEE FOR THIS AMENDMENT		\$ 402.00

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[] A check in the amount of \$ _____ is attached.


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APPLICATION OF Seth A. Foerster et al. MAILED: 9/18/01
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☐ PRELIMINARY STATEMENT
☐ PRIORITY DOCUMENT
☐ STATUS INQUIRY 28 PGS
☐ SPECIFICATION 10
☐ CLAIMS
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